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10 IN THE UNITED STATES DISTRICT COURT
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12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,) 2:01-cr-397 MCE
14 v.) Plaintiff,)
15 OVANNES AROUTIOUNIAN,)) MOTION TO DISMISS INDICTMENT
16) AND ARREST WARRANT FILED
17 Defendant.) AGAINST DEFENDANT OVANNES
) AROUTIOUNIAN AND ORDER
-----)

18 Plaintiff United States of America, by and through its
19 undersigned counsel, and pursuant to Fed. R. Crim. P. 48, moves to
20 dismiss the indictment and arrest warrant in the above-captioned
21 action filed on August 29, 2001. Since filing the indictment, the
22 government has not been able to locate the defendant and has come to
23 believe that he fled the United States. In the meantime, the
24 government no longer has significant evidence and the potential to
25 secure witness testimony necessary for prosecution. Accordingly, the
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1 government is not able to proceed with the prosecution and submits
2 this motion to dismiss the indictment and arrest warrant filed
3 against the defendant.

4 DATED: June 2, 2009

LAWRENCE G. BROWN
5 Acting United States Attorney

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7 By: /s/ John K. Vincent
8 JOHN K. VINCENT
9 Assistant U.S. Attorney

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12 **ORDER**

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14 Based on the motion of the government, and GOOD CAUSE APPEARING
15 THEREFORE, the Court hereby orders that the indictment and arrest
16 warrant filed against defendant Ovannes Aroutiounian on August 29,
17 2001, be and are hereby dismissed.

18 IT IS SO ORDERED.

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20 Dated: June 3, 2009

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23 MORRISON C. ENGLAND, JR.
24 UNITED STATES DISTRICT JUDGE